

IN THE THIRTEENTH JUDICIAL CIRCUIT FOR THE STATE OF FLORIDA  
CIRCUIT CIVIL DIVISION

JAYDEN DAVIS,

Petitioner,

CASE NO.: 25-CA-004317

vs.

DIVISION: C

CHAD CHRONISTER in his official  
capacity as Sheriff of Hillsborough County,

Respondent.

ORDER DISMISSING PETITIONER'S PETITION FOR WRIT OF MANDAMUS

THIS MATTER is before the Court on Petitioner's May 9, 2025 Petition for Writ of Mandamus seeking a writ to compel Respondent to investigate or bring charges against Dustin Seyersdahl with regard to alleged fraud and breach of contract.

Mandamus is the mechanism by which officials can be compelled to perform lawful, ministerial duties. *See Eichelberger v. Brueckheimer*, 613 So. 2d 1372, 1373 (Fla. 2d DCA 1993). "A party petitioning for a writ of mandamus must establish a clear legal right to performance of the act requested, an indisputable legal duty, and no adequate remedy at law." *Radford v. Brock*, 914 So. 2d 1066, 1067 (Fla. 2d DCA 2005) (internal citations omitted). When receiving a petition for a writ of mandamus, the trial court's "initial task is assessing the petition to determine whether it is facially sufficient. If it is not facially sufficient, the court may dismiss the petition." *Id.* Mandamus is available only to "enforce an established legal right ... not to establish that right." *Miami-Dade Cnty. Bd. of Cnty. Comm'rs v. An Accountable Miami-Dade*, 208 So. 3d 724, 731 (Fla. 3d DCA 2016) (internal citations omitted). "A ministerial duty or act is one where there is no room for the exercise of discretion, and the performance being required is directed by law." *Polley v. Gardner*, 98 So. 3d 648, 649 (Fla.1st DCA 2012) (internal citations omitted).

Petitioner asserts that Respondent has a ministerial duty "initiate a criminal investigation into the acts of Dustin Seyersdahl under" the sections of Florida Statutes for theft, fraud, and wire fraud. However, the Petition fails to allege a specific, indisputable, non-discretionary legal duty that Respondent has failed or

refused to perform. *See Ryzhov v. Morales*, 388 So. 3d 1018, 1019 (Fla. 3d DCA 2024) (finding that the court may not issue a writ of mandamus requiring a law enforcement agency to investigate alleged crimes). The Court finds that the Petition is not facially sufficient.

In addition, the Motion is styled in the United States District Court for the Middle District of Florida.

ORDERED AND ADJUDGED that Petitioner's Petition for Writ of Mandamus is hereby DISMISSED.

ORDERED in Tampa, Hillsborough County, Florida, on the date imprinted with the Judge's signature.

25-CA-004317 5/13/2025 4:00:06 PM

25-CA-004317 5/13/2025 4:00:06 PM  
Judge Melissa Polo

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MELISSA M. POLO, Circuit Court Judge

Copies to:

Petitioner

Respondent

Additional copy(ies) provided electronically through JAWS